



# PUBLIC NOTICE

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## PUBLIC SAFETY AND HOMELAND SECURITY BUREAU ANNOUNCES FILING DEADLINES FOR OPPOSITIONS AND REPLIES THERETO REGARDING PETITIONS FOR RECONSIDERATION OF THE 911 FEE DIVERSION REPORT AND ORDER

PS Docket Nos. 20-291 and 09-14

**Oppositions Due: January 6, 2022**

**Replies to Oppositions Due: January 18, 2022**

By this *Public Notice*, the Public Safety and Homeland Security Bureau notifies interested parties of the filing deadlines for oppositions, and replies thereto, to petitions for reconsideration of the Report and Order released on June 25, 2021 in the 911 fee diversion proceeding.<sup>1</sup> The petitions for reconsideration were filed by the Boulder Regional Emergency Telephone Service Authority (BRETSA)<sup>2</sup> and the City of Aurora 911 Authority and other Colorado emergency telephone service entities.<sup>3</sup>

The Bureau previously announced that oppositions to the petitions for reconsideration must be filed within 15 days after the date on which the Federal Register publishes notice of the filing of the petitions, and that replies to oppositions must be filed within 10 days after the time for filing oppositions has expired.<sup>4</sup> The Federal Register published notice of the filing of the petitions for reconsideration on December 22, 2021.<sup>5</sup> Accordingly, oppositions to the petitions are due on **January 6, 2022**, and replies to oppositions are due on **January 18, 2022**.

*Filing Procedures.* Oppositions and replies may be filed using the Commission's Electronic Comment Filing System (ECFS), or by filing paper copies.<sup>6</sup> Oppositions and replies should refer to PS Docket Nos. 20-291 and 09-14.

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<sup>1</sup> *911 Fee Diversion; New and Emerging Technologies 911 Improvement Act of 2008*, PS Docket Nos. 20-291 and 09-14, Report and Order, FCC 21-80 (June 25, 2021) (*Report and Order*).

<sup>2</sup> BRETSA Petition for Reconsideration, PS Docket Nos. 20-291 and 09-14 (filed Sept. 16, 2021), [https://ecfsapi.fcc.gov/file/10916823228843/BRETSA%20210916%20Pet\\_Recon%20210625%20R%26O%20911%20Fee%20Diversion%20NPRM%20%20PS%2020-291%20and%2009-14.pdf](https://ecfsapi.fcc.gov/file/10916823228843/BRETSA%20210916%20Pet_Recon%20210625%20R%26O%20911%20Fee%20Diversion%20NPRM%20%20PS%2020-291%20and%2009-14.pdf).

<sup>3</sup> City of Aurora 911 Authority et al. Notice of Final Rules Petition for Reconsideration, PS Docket Nos. 20-291 and 09-14 (filed Sept. 15, 2021), [https://ecfsapi.fcc.gov/file/10915145788739/Petition%20for%20Reconsideration%20Regarding%20Proposed%20FCC%20911%20Anti-Fee-Diversion%20Rules\(00847827\\_xAF7F5\)\).pdf](https://ecfsapi.fcc.gov/file/10915145788739/Petition%20for%20Reconsideration%20Regarding%20Proposed%20FCC%20911%20Anti-Fee-Diversion%20Rules(00847827_xAF7F5)).pdf).

<sup>4</sup> See 47 CFR § 1.429(f); 47 CFR § 1.429(g); see also *Petitions for Reconsideration of Action in Proceeding*, PS Docket Nos. 20-291 and 09-14, Public Notice, Report No. 3184 (CGB Dec. 15, 2021), <https://ecfsapi.fcc.gov/file/121529259241/DOC-378669A1.pdf>.

<sup>5</sup> See 86 Fed. Reg. 72546 (Dec. 22, 2021).

<sup>6</sup> See FCC, Electronic Filing of Documents in Rulemaking Proceedings, 63 Fed. Reg. 24121 (May 1, 1998).

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- Electronic filers: Oppositions and replies may be filed electronically using the Internet by accessing the ECFS: <http://apps.fcc.gov/ecfs/>.
- Paper filers: Parties who choose to file by paper must file an original and one copy of each filing.
- Filings can be sent by commercial overnight courier, or by first-class or overnight U.S. Postal Service mail. All filings must be addressed to the Commission's Secretary, Office of the Secretary, Federal Communications Commission.
- Commercial overnight mail (other than U.S. Postal Service Express Mail and Priority Mail) must be sent to 9050 Junction Drive, Annapolis Junction, MD 20701. U.S. Postal Service first-class, Express, and Priority mail must be addressed to 45 L Street NE, Washington, DC 20554.
- Effective March 19, 2020, and until further notice, the Commission no longer accepts any hand or messenger delivered filings. This is a temporary measure taken to help protect the health and safety of individuals, and to mitigate the transmission of COVID-19. *See FCC Announces Closure of FCC Headquarters Open Window and Change in Hand-Delivery Policy*, Public Notice, DA 20-304 (March 19, 2020), <https://www.fcc.gov/document/fcc-closes-headquarters-open-window-and-changes-hand-delivery-policy>.
  - During the time the Commission's building is closed to the general public and until further notice, if more than one docket or rulemaking number appears in the caption of a proceeding, paper filers need not submit two additional copies for each additional docket or rulemaking number; an original and one copy are sufficient.
  - After COVID-19 restrictions are lifted, the Commission has established that hand-carried documents are to be filed at the Commission's office located at 9050 Junction Drive, Annapolis Junction, MD 20701. This will be the only location where hand-carried paper filings for the Commission will be accepted.<sup>7</sup>

*People with Disabilities.* To request materials in accessible formats for people with disabilities (Braille, large print, electronic files, audio format), send an e-mail to [fcc504@fcc.gov](mailto:fcc504@fcc.gov) or call the Consumer and Governmental Affairs Bureau at (202) 418-0530 (voice).

*Ex Parte Rules.* This proceeding shall continue to be treated as a "permit-but-disclose" proceeding in accordance with the Commission's *ex parte* rules.<sup>8</sup> Persons making *ex parte* presentations must file a copy of any written presentation or a memorandum summarizing any oral presentation within two business days after the presentation (unless a different deadline applicable to the Sunshine period applies). Persons making oral *ex parte* presentations are reminded that memoranda summarizing the presentation must (1) list all persons attending or otherwise participating in the meeting at which the *ex parte* presentation was made, and (2) summarize all data presented and arguments made during the presentation. If the presentation consisted in whole or in part of the presentation of data or arguments already reflected in the presenter's written comments, memoranda or other filings in the proceeding, the presenter may provide citations to such data or arguments in his or her prior comments, memoranda, or other filings (specifying the relevant page and/or paragraph numbers where such data or arguments can be found) in lieu of summarizing them in the memorandum. Documents shown or given to Commission

<sup>7</sup> See *Amendment of the Commission's Rules of Practice and Procedure*, Order, 35 FCC Rcd 5450 (OMD 2020).

<sup>8</sup> 47 CFR §§ 1.1200 *et seq.*

staff during *ex parte* meetings are deemed to be written *ex parte* presentations and must be filed consistent with rule 1.1206(b). In proceedings governed by rule 1.49(f) or for which the Commission has made available a method of electronic filing, written *ex parte* presentations and memoranda summarizing oral *ex parte* presentations, and all attachments thereto, must be filed through the electronic comment filing system available for that proceeding, and must be filed in their native format (e.g., .doc, .xml, .ppt, searchable .pdf). Participants in this proceeding should familiarize themselves with the Commission's *ex parte* rules.

*Additional Information.* For additional information on this proceeding, contact Brenda Boykin, Deputy Chief, Policy and Licensing Division, Public Safety and Homeland Security Bureau, at (202) 418-2062 or [Brenda.Boykin@fcc.gov](mailto:Brenda.Boykin@fcc.gov).